

BURLINGTON CITY COUNCIL REGULAR SESSION MARCH 5, 2014

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, March 5, 2014. President of Council William C. Scott called the meeting to order.

ROLL CALL: ☐ Mayor Gene L. Merry

Council Members present:

☒ William C. Scott (President of Council)

☒ Jane M. Griffith

☒ Lewis Lenard

☒ R. Standley Luke (Stan)

☒ Forrest T. Rhodes

☒ Jerilyn Curtiss

Superintendents Present: ☒ Kevin Boyce (Parks) ☒ Alan Schneider (Electric)

☒ Doug Jones (Chief of Police)

☒ Doug Mast (Street)

☒ Danny Hawkins (Water/Wastewater)

Also Present: ☒ Regina Kewley (City Clerk)

☒ Jimmy Hugunin (Zoning & Grants Clerk)

☒ Thomas F. Robrahn (City Attorney)

☒ Susan Stroh (Administrative Assistant)

☐ Dennis Roth (City Attorney)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Jay Hale, Jerame Hugunin

AGENDA: *Council Member Curtiss, "I move to approve the agenda as amended." Council Member Luke, "I second the motion." Motion unanimously carried.*

MINUTES: **March 5, 2014:** *Council Member Luke, "I move to accept the Draft Minutes of Council's regular session of March 5, 2014 as presented." Council Member Curtiss, "Second." Motion unanimously carried.*

APPOINTMENT: Jerame Hugunin- Phatal Attraction Cruise Night – Use of Kelley Park on June 14, 2014

Jerame Hugunin, Phatal Attraction Car Club, requested permission to hold the annual Cruise Night in Kelley Park the same as last year, on Saturday, June 14. This is their sixteenth year to hold the event to raise money to help local families in need and for a scholarship. Parks Superintendent Boyce had no problem with it.

Council Member Curtiss stated, "I move to approve Jerame Hugunin's request for the Phatal Attraction Car Club to hold its annual Cruise-In on June 14, 2014 in Kelley Park." Council Member Lenard, "Second." President of Council Scott called for discussion. He then asked if there is any way, since this has been an annual request for sixteen years, this would not need to come before council each year. It was decided that although he does coordinate with the Parks Superintendent, bringing it before the council gets the event mentioned in the minutes and gives it more notice. **Hearing no additional discussion, President of Council Scott called for a vote. Motion unanimously carried.**

POLICE OFFICER: Quillan Houser

Officer Quillan Houser was introduced by Chief Jones. Officer Houser started working for the BPD full-time on Monday, February 24. He is doing well and has already started training. Everyone welcomed Officer Quillan, who said, "I am really grateful for the opportunity you have given me. I am just moving into my house. I've been really welcomed by the community and the Police Officers I work with. I really love it here, so look forward to the future."

PUBLIC COMMENT: None

ELECTRIC DEPARTMENT: Distribution Updates

General: Electric personnel are doing normal daily duties: work orders, locates, customer service requests, line maintenance, and repairing some street lights. While in the shop due to the weather, the Apprentice Linemen have had a chance to do some of their testing.

AMI: Superintendent Schneider reported that he and Andy Lawrence (Apprentice Lineman) worked with Superintendent Hawkins a little on the AMI for the water.

Power Outage: There was only one outage since last meeting of council. It was very early Tuesday morning, which isolated one block and was a quick fix that took about forty minutes.

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: Power Plant personnel have been performing normal duties and working on reports.

Power Plant Maintenance: Superintendent Schneider reported personnel did general Power Plant and generator maintenance. They did a maintenance run on Generator #4 to exercise it. That run created the need to fill out generation reports which will satisfy KDHE.

WATER DEPARTMENT: Update

Water Leaks: Superintendent Hawkins reported personnel have been doing normal duties and reports.

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AMI: Superintendent Hawkins reported that a lot of their time has been spent with the Automated Meter Infrastructure. He said, "Wes Payne with Landis+Gyr flew in from Pittsburg, Pennsylvania yesterday and has been with us since then. We're learning the process of our water system. I want to thank Alan and Andy (Electric Department) for the great job they have done with helping us. We've been getting the new water meters installed. It's been a major process for us. We've installed 150 meters since last Friday, so I think that's doing a good job of getting the meters in the ground."

Council Member Rhodes asked what his estimation is for finishing the installations. Superintendent Hawkins replied, "We're still in our first quarter of installations and we are learning our process. We've had to send our interpreters back to Landis+Gyr several times to have them modified and reprogrammed. (*Council Meeting 12-18-2013*) The programs are now working, so we are now doing the installs. We got 31 installed today, so we're hoping that as we perfect it, we will be able to get up to 50 meters installed in a day. It will probably be two to three months before we get this shipment of meters installed; and then we'll have our next shipment for this year delivered. Of course, we will continue do our other duties and responsibilities, and spend as much time as possible on AMI. Hopefully, by the end of this year we will have over half the town done; and should finish meter installations before the end of next year. The AMI is what we've been working hard on."

WATER/WASTEWATER DEPARTMENT: Water Plant Update

General: Superintendent Hawkins reported, "The Water Plant has been running pretty good. We are still trying some new coagulants. We will try the products and see how they work for us." He added, "There have been no major issues with the Water Plant. We're still at 500,000 gallons of water usage (per day)."

East/Gray Water Tower Repair update: Superintendent Hawkins reported, "I visited with the Water Committee today on repair of the East Water Tower, which is still down. We are going to move forward with having Cunningham Sandblasting & Painting, Inc. come in and do a repair on the East Water Tower. There will be a replacement of 122 feet of steel pipe. I visited with James Brookshire today, and it looks like the material will be here in two to three days; so we will start that process."

President of Council Scott asked how long it will take. Superintendent Hawkins explained, "If you call bad news good news. Rodney Breeze's tower (Rural Water District #2) broke and went down as well; so in the process with him being so close to us, his materials will come in on the same shipment as ours from Tulsa, Oklahoma). So with Cunningham's crews enroute, hopefully within three weeks from today, we will have our tower back online."

STREET DEPARTMENT: Update

General: It has been normal business at the Street Department, with sweeping streets, doing equipment maintenance, and preparing bid specifications for the new dump truck.

Training: Superintendent Mast reported they have been short-handed while Street personnel attended training: QTech (Workplace, Jobsite, and Equipment Safety) and Road Safety Assessment.

Work Schedule/Hours: Superintendent Mast informed Council that although daylight savings time is when the Street Department usually changes to summer hours of four ten-hour days, they will wait until March 31st, but it will depend on the weather.

STREET DEPARTMENT: 7th Street & Yuba Street Curb & Gutter Project: Hire Design Engineer

Superintendent Mast requested permission to hire MKEC Engineering as design engineer for 7th Street and Yuba Street curb and gutter. He explained, "This is to curb and gutter 7th Street from Yuba to Potomac and Yuba Street from 6th Street and 7th Street. Both of those blocks are in very poor disrepair and we need to get the curb and gutter replaced; and we've got drainage issues in there as well. I would like to get MKEC to do that, not to exceed \$15,000."

Council Member Curtiss stated, "I move to authorize Superintendent Mast's to hire MKEC Engineering as Design Engineer for the 7th & Yuba Curb & Gutter Project, not to exceed \$15,000." Council Member Griffith, "I'll second." Hearing no discussion, President of Council Scott called for a vote. Motion unanimously carried.

POLICE DEPARTMENT: Update

General: Chief Jones reported they have had a normal run of calls. City court is next week.

Hosting an Interview Class: Today and tomorrow the Police Department is hosting an Interview and Interrogation Class for police officers. turnout was good, with forty people in the class. About twenty-six officers came from outside the area for the training. Chief Danny Parker from Winfield, Kansas came to instruct the class, which was opened to the surrounding area. Chief Parker is a former Kansas Law Enforcement Training Center Academy instructor. Chief Jones and Sheriff Randy Rogers were covering calls while our officers were in training.

Dodge Charger: The car is back from Emporia with the equipment installed.

2011 Chevrolet Truck: A two-dog box was purchased for the Animal Control Truck. It fits in the back of the truck bed and looks good. Graphics will be put on the truck tomorrow.

PARKS DEPARTMENT: Update

General: Parks personnel have been doing normal duties, including cleaning public buildings and restrooms, and doing snow and ice removal, and maintaining equipment. He worked on and completed personnel evaluations.

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Park Buildings: Parks personnel have been working on the emergency lighting and exit lighting at the 4-H Building and Kelley Hall; and changing out batteries as needed.

Flower Pots: Superintendent Boyce reported they are getting the flower pots, etc. ready for along the Highway 75 and Neosho Street. This year, he is going to expand the flower pots to the 400 block of Neosho. The flower pots that are in the middle of the 300 block will be moved into the 400 block. Brackets will be put on the Victorian street light poles in the middle of the block and two hanging flower baskets will be on each of those poles. It will be the same way in the 400 block.

Parks Committee Meeting & City Dam Rock Wall Repair: Superintendent Boyce reported there was a Parks Committee Meeting on March 3. The City Dam west rock wall repair was discussed. He met again today with Bob Culbertson (Wildlife & Parks) who gave a little advice. Nothing has been decided yet.

FINANCE: Claims Ordinance & Payroll Ordinance

a.	Claims Ordinance	2014-04	\$ 50,705.22
b.	Payroll Ordinance	2014-05	\$ 71,295.44
	TOTAL		\$122,000.66

CLAIMS 2014-04: Council Member Luke, *“I move City of Burlington pay Claims Ordinance 2014-04 in the amount of \$50,705.22 for payment of city bills.”* Council Member Rhodes, *“Second.”* President of Council Scott called for discussion. City Clerk Kewley explained, “For such a low ordinance we just have a few larger expenses: Atmos Energy \$4,356.03, HD Supplies for waterlines is \$3,607.73, Lewis Oil & Birk Oil for bulk fuel for \$8,289. **Hearing no further discussion, President of Council Scott directed City Clerk Kewley to poll Council for a vote. All votes were in favor. President of Council Scott declared Claims Ordinance 2014-04 unanimously approved.**

PAYROLL 2014-05: Council Member Scott stated, *“I move City of Burlington pay Payroll Ordinance 2014-05 in the amount of \$71,295.44.”* Council Member Luke, *“Second.”* Hearing no discussion, President of Council Scott directed City Clerk Kewley to poll Council for a vote. **Motion unanimously carried. President of Council Scott declared Payroll Ordinance 2014-05 unanimously approved.**

FINANCE: Charloma Tax Exemption – Administrative Review

City Clerk Kewley reported that the Administrative Review Committee met on the 25th of February. The Administrative Review Committee consisted of Mayor Gene L. Merry, City Attorney Thomas F. Robrahn, USD #244 Superintendent Cliff Williams, and City Clerk Regina Kewley. The Committee reviewed information Charloma had submitted including the Annual Claim for Exemption, the Exempt Real Property Form, and data on the number of full-time employees working at their Burlington facility.

City Clerk Kewley reported all of the requested documentation and the check for \$100 were received from Charloma; and that Charloma has 24 full-time employees. They are asking for an exemption for this year, which will be the last year of the ten-year exemption period. The Administrative Review Committee recommends that the Governing Body extend the tax exemption to allow Charloma, Inc. to receive 10% abatement and pay 90% of their property tax responsibilities for 2014.

Council Member Lenard stated, “I move to accept the Administrative Review Committee’s recommendation to extend the tax exemption to allow Charloma, Inc. to receive 10% abatement and pay 90% of their property tax for 2014.” Council Member Luke, “Second.” Hearing no discussion, President of Council Scott called for a vote. Motion unanimously carried.

FINANCE: Personnel – Salaries/CPI Recommendation and Resolution 2014-01

CPI Recommendation: City Clerk Kewley explained, “It’s the time of year to look at our salary structure for the CPI (Consumer Price Index). I pulled it from the same place as we’ve done every year for the last fifteen to twenty years – the U.S. Bureau of Labor Statistics Consumer Price Index, and it’s 1.6%. So, I recommend we adjust our pay bands to the 1.6% CPI for this year.”

Council Member Lenard stated, “I make a recommendation to approve a 1.6% Consumer Price Index (CPI) increase to City of Burlington employees, beginning April 5, 2014.” Council Member Curtiss, “I second it.” Hearing no discussion, President of Council Scott called for a vote. Motion unanimously carried.

Resolution 2014-01: Council Member Luke stated, *“I move to adopt Resolution 2014-01, Providing For and Fixing Salaries and Compensations of Officers and Employees of the City of Burlington, Kansas pursuant to the Personnel Policies and Guidelines Established by the City of Burlington, Kansas in 1996, including Exhibit “A”, Wage and Salary Schedule, and Exhibit “B”, Employee Annual Work Plan & Evaluation Guideline.”* Council Member Curtiss, *“I second it.”* Hearing no discussion, President of Council Scott called for a vote. **Motion unanimously carried.**

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PLANNING & ZONING: Update

General: With the weather warming up, Zoning Clerk Hugunin has been having more people inquiring about building permits. He has about finished doing the City's annual inventory, and has been updating our Facebook page and website. He has also been working on computer issues at City Hall and the Parks Department.

Spring Clean-up & Brush removal: Coffey County's Free Landfill Service for the Spring Cleanup will be April 14 through 19. City crews will pick up brush the week of April 7, so citizens should have their brush curbside by 7:00 a.m., Monday, April 7. City crews will start picking up trash/junk on Monday, April 14th; so that should be curbside by 7:00 that morning. Zoning Clerk Hugunin has started printing flyers that will be distributed in various businesses around town and posted on the internet.

KPP Economic Development Grant Application: Zoning Clerk Hugunin said that tonight Council Member Luke gave him an application for the Kansas Power Pool Economic Development Grant; so he will contact the Superintendents and the Chamber of Commerce to see if there is any need for it here.

PLANNING & ZONING: City Hall Computer Upgrade – Proposal from Dell

Zoning Clerk Hugunin reported, "I have been working on a proposal with Dell to get new computers for City Hall. The reason we need new computers is that on April 1, Microsoft is doing away with support on Microsoft Windows XP; and the computers we have were purchased in 2006 and 2009. We need new computers." He explained, "The reason we went with the proposal from Dell is that they offer us a government discount and NexTech suggested we get our computers from Dell."

Zoning Clerk Hugunin said, "I've got a proposal from Dell for six computers for \$5,697.96. ***Council Member Griffith stated, "I move to authorize Zoning Clerk Hugunin to accept Dell's proposal of \$5,697.96 for City Hall computer upgrades." Council Member Rhodes, "Second." President of Council Scott called for discussion.*** Council Member Curtiss asked if that includes the discount. Zoning Clerk Hugunin said, "It does." He also explained that we won't have to do anything with the server because it is not very old and runs Windows 7 which Microsoft will continue to support. Council Member Lenard asked if all of our software - everything we are transitioning to - will be compatible. Zoning Clerk Hugunin replied, "Yes, everything is supposed to be compatible. I will install the software and updates myself on all the computers; and then get NexTech transfer data over that they need to allow the server and computers to interact." President of Council Scott wondered if the current computers are used for trade-in. City Clerk Kewley explained they are not traded in, but are used for parts and other purposes; and that security is a concern. Chief Jones said that when the Police Department is done with a computer, they remove the hard drive. ***Hearing no further discussion, President of Council Scott called for a vote. Motion unanimously carried.***

PERMITS: Zoning permits issued by Zoning Clerk Hugunin:

2014-003 Clint Belcher, 515 S. 8th Street, for a carport

2014-004 Tom Menard, 1053 Lynx Lane, for a single family dwelling

ORDINANCE 826, Alcohol in City Parks

City Attorney Robrahn stated, "This is in response to some questions we had several months ago (November 6, 2013) about alcohol being allowed in Kelley Park during the time of the Coffey County Fair. When I looked at the current ordinance (Ordinance 604) that addresses that issue, I found there is one section having to do with Kelley Park. It was very ambiguous and confusing; so at this point my proposal would be - after visiting with several persons, including Chief Jones - that we change that section to limit the alcohol to the interior of the buildings and it would be easier to control." City Clerk Kewley said, "Alcohol would be allowed in the buildings only after getting a permit and paying a deposit. That we currently have in place."

President of Council Scott stated, "I would entertain that we obtain a motion to adopt Ordinance 826; then if there is any more discussion, we can have it at that time." Council Member Rhodes stated, "I move to adopt Ordinance 826, An Ordinance Relating To The Possession Or Consumption Of Alcohol And Cereal Malt Beverages In Municipal Parks; Amending Section 16-24, Of Article II, Chapter 16, Of The Code Of The City Of Burlington." Council Member Griffith, "I will second it." Hearing no discussion, President of Council Scott directed City Clerk Kewley to poll Council for a vote. All votes were in favor. President of Council Scott declared Ordinance 826 adopted.

LEGAL DEPARTMENT: RWD #2 Contract revision

City Attorney Robrahn said he has not heard anything new on the Rural Water District #2 contract. Superintendent Hawkins said, "I did visit with Dennis Roth this morning and we went over a few things that he has to clear up. He said it was close to being ready." Council Member Lenard commented, "The ones we have, I thought were pretty good." Superintendent Hawkins replied, "They are basically, what he was concerned with this morning was the 4.5 million gallons of water that we deal with for rural water; and that is based upon our water rights that we receive from Neosho River. It's a mathematical equation the State allows for water usage to be distributed out to the Rural Water District. Right now, physically they couldn't pull 4.5 million; they don't have the mechanical capabilities, but they have the right to pull 4.5 million gallons of water a month if they choose to - if they have the capability to upgrade. So, Dennis just fine-tuned different things (verbiage) in the contract - nothing real major."

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CITY CLERK’S OFFICE: Update

General: City Clerk Kewley reported City Hall Staff have been busy with customers paying utility bills, handling calls and inquiries, handling work orders, preparing meeting minutes, reports, vouchers for paying bills, and payroll. Utility Billing Supervisor Mast and Utility Clerk West have been busy working with Superintendents Hawkins and Schneider on the Automated Metering Infrastructure Project.

Set-off Program: This month, we will be sending \$6,767.58 worth of delinquent utility accounts to the Kansas Set-off Program for collection.

Charloma: City Clerk Kewley arranged for, and participated in, Charloma’s tax exemption review.

Meetings: City Clerk Kewley attended a Finance meeting and an Electric Committee meeting last week.

Personnel Evaluations and Work Plans: City Clerk Kewley stated, “I would like to remind everybody the employee Work Plans need to be completed by the 19th of March, and the committees need to get together for the Superintendents by the 19th also.

FUTURE AGENDA ITEMS:

GENERAL City Debt – How to fund projects		GAAP – Infrastructure Capitalization	
City Code Re-codification		Actuaries – GASB-45	
Service/Allied Waste Agreement Renewal		Governing Body – Group Picture	
Mayor’s Volunteer Program		Electric Rate Study	
City Hall Computer & Server Update			
ELECTRIC DEPARTMENT: GIS system		Automatic Meter Infrastructure for Electric & Water (AMI)	
Emissions Standards Compliance/EPA			
PARKS DEPARTMENT: Fair Board’s new Building		UHCA Event in Kelley Park - October 2014 (Jim Ochs)	
Hazard Tree Removal		Kelley Park Rock Restroom – Refurbish update	
Spring Carnival & Demolition Derby-April (Fair Board)		City Dam West Wall Project (sidewalk/steps, etc.)	
Scout Jamboree in September 2014			
LEGAL DEPARTMENT: RWD #2 Contract (New)			
PLANNING AND ZONING Quarterly Construction Valuation Report		Oak Park Solar Lighting Grant (Trusler Foundation)	
Comprehensive Development Plant – Update		Work w/Chief on Nuisance Structure regulations	
Industrial Park Lots		Zoning Inquiries	
POLICE DEPARTMENT Nuisance Updates		Personnel – Training Updates	
SADD Mock Disaster in April 2014		New PD Building- Update	
STREET DEPARTMENT: 2013 Asphalt Project		Sidewalk for Mike Abendroth (2 blocks)	
Sidewalk Replacement Repairs on City Rights-of-Way		Pavement Management System/Asset Management System	
Street Department Storm Sewer Project & Rebuild of S. 10 th St.		Rebuild/Repair Kennedy Street and 14 th Street	
Heather Street – Concrete Panels		Dump Truck with bed and plow	
WATER & WASTEWATER DEPARTMENT: Sewer Improvement Project--Lift Station Replacements			
Neosho Riverbank Stabilization	Southwest Sewer Project	Water Pressure Study	Truck/Sewer Machine/Backhoe-update
Water Plant Improvements--Efficiency	Waterline Replacement Project	Water Tower Repair (East)	SCADA System
10 th & Housatonic Water Improvements-	John Redmond Reservoir – Dredging		

President of Council Scott declared the meeting adjourned.

Approved by the Governing Body and signed by Regina R. Kewley, City Clerk